

# VILLAGE OF RUIDOSO

## ORDINANCE 2015-08

AN ORDINANCE AMENDING THE VILLAGE OF RUIDOSO MUNICIPAL CODE OF ORDINANCES CHAPTER 22 BUILDINGS AND BUILDING REGULATIONS SECTIONS 22-31 TO 22-39, AND APPENDIX A TO UPDATE WORDING REGARDING PERMITS, CODES, FEES AND EXPIRATION OF PERMITS, AND ADD SECTION 22-40.

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF RUIDOSO THAT Chapter 22 and Appendix A is hereby amended by the addition of new text and modification or deletion of existing text as follows:

**Single Underline is text that is proposed for adoption. Strike-out is language deleted.**

### Chapter 22 BUILDINGS AND BUILDING REGULATIONS

#### Article I. In General:

#### **Sec. 22-31. - Building, electrical, plumbing and mechanical codes adopted; amendments.**

- (a) There is hereby adopted by the village for the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures, and providing for the issuance of permits and collection of fees there for, and providing penalties for the violation thereof, the **2009 International Residential Code (2009IRC)** ~~New Mexico Residential Building Code (NMRBC); the 2009 International Building Code (2009IBC) New Mexico Commercial Building Code (NMCBC); the 2014 National Electrical Code (2014NEC) New Mexico Electrical Code (NMEC); the New Mexico Electrical Safety Code (NMESC); the 2009 Uniform Plumbing Code (2009UPC) New Mexico Plumbing Code (NMPC); the 2009 Uniform Mechanical Code (2009UMC); the 2009 Uniform Solar Energy Code (2009USEC); the 2009 Uniform Swimming Pool, Spa, and Hot Tub Code (2009 USPSHTC) New Mexico Swimming Pool, Spa and Hot Tub Code (NMSSHC); and the 2009 International Existing Building Code (2009IEBC); the 2009 International Fire Code (2009IFC); the 2009 International Energy Conservation Code (2009IECC); including but not limited to any amendments to the provisions of the above described codes which are adopted by the State of New Mexico, whether such amendments are adopted as of or subsequent to the effective date of the ordinance codified in this section~~ ~~New Mexico Mechanical Code (NMMC), as approved and promulgated by the state construction industries commission, including all amendments thereto and all future editions thereof, of which codes not less than one copy has been and now is filed in the office of the planning department. In addition, the village also incorporates the standards set forth in current edition of the International Energy Conservation Code (IECC).~~ Such codes are hereby adopted and incorporated as

fully as if set out at length in this chapter, except as to the section of the code relating to building permit fees, which fees shall be in accordance with section 22-34. The ~~2009IRC~~NMRBC, the ~~2009IBC~~NMGBG, the ~~2014NEC~~NMEC, the ~~2009UPC~~NMESG, the NMPC, the ~~2009USPSHTC~~NMSSHG, ~~the 2009USEC, the 2009UMC, the 2009IECC, the 2009IEBC, the 2009IFC~~ and the building permit fees established by this chapter shall be in force from the date on which this article shall take effect, and the provisions thereof shall be controlling within the limits of the village and the extraterritorial planning and platting jurisdiction of the village as they currently exist or may be modified in the future as provided by law.

(b) The codes adopted by subsection (a) of this section are amended as follows:

(1) Nonrated roof coverings and special purpose roofs, other than mineral aggregate surface built-up roofs, are prohibited. An existing wood shake or wood shingle roof shall be replaced with a roof in compliance with this provision if the cost of repair exceeds \$500.00 or if the area repaired exceeds 20 percent of the area of the roof.

(2) Water conservation local amendments.

a. Intent and scope. This section sets forth water conservation requirements for new one- and two-family dwellings and townhouses. **Two of the three alternative approaches listed below will be incorporated into the design and construction of the new dwelling unit.**

~~b. Compliance. Permit applications for new one- and two-family dwellings and townhouses shall include a completed water conservation measures form certifying that at least two of the three alternative approaches listed below will be incorporated into the design and construction of the new dwelling unit.~~

1. Alternative number 1. Install a hot water recirculating system with a pump, a timer, and/or a thermostat. ~~Copper water lines, if used in the system, shall be insulated in accordance with the New Mexico Energy Conservation Code.~~

2. Alternative number 2. Install any combination of two of the following items:

- i. An Energy Star rated dishwasher.
- ii. An Energy Star rated clothes washing machine.
- iii. A dual flush toilet that uses a maximum of 1.1 gallons of water per flush of liquid waste and a maximum of 1.6 gallons of water per flush of solid waste.

3. Alternative number 3. Install a cooling system that does not rely on the evaporation of water to produce cooled air.

~~c. Inspection. A village-approved copy of the water conservation measures form shall be permanently posted at the water heater by the time of the final inspection.~~

(3) Gas piping.

a. All low pressure gas piping, **up to 2 psi**, shall be tested with a minimum of **5 10 psi using an approved test gauge with maximum of 1/10 pound increments.**

b. All medium and high pressure gas piping **and low, medium and high pressure welded gas pipe (maximum 30 psi)** shall be tested with a minimum

of 60 psi or 1 ½ times the operating pressure, whichever is greater, using an approved test gauge with maximum of 1 pound increments.

- ~~(4)~~ Water piping. All water piping located under any slab shall be sleeved for its entire length. The sleeve shall extend to a point not less than 30 inches past the structure. Where the sleeve terminates within the structure it shall penetrate the slab. Sleeves shall be installed in basically straight runs and be sized where there is clearance around the pipe sufficient to allow easy installation and removal of the pipe. Sleeve material shall be approved in advance of installation by the village inspector.
- ~~(5)~~**(4)** Room heaters. Unvented fuel-burning room or water heaters shall not be installed in any building, whether new or as a replacement. Unvented fuel-burning room or water heaters shall not be used, maintained or permitted to exist in a Group I or R occupancy.
- (5)** Air Admittance Valves. Air admittance valves shall be specifically prohibited except when permitted by the Building Official.
- (6)** Fireplaces. New solid-burning fireplaces shall have tight-fitting flue dampers and outdoor combustion air.
- (7)** Accessory structures over 120 square foot require a building permit for residential and commercial use, and shall meet the requirements as provided in this article or this Code.
- (8)** Site built shower pan(s) and wall(s) may be constructed or rebuilt by MM-98, MM-1, GB-98, GB-2, and GS-3 licensed contractors, or home owners for their primary residence. The permit issuance for such work shall be issued as a building or plumbing permit, depending on the applicant.
- (9)** Grading and drainage.

a. Final grading. No certificate of occupancy or final building approval shall be issued until final grading has been completed in accordance with the approved plans or site conditions. Erosion controls such as vegetation, check dams, riprap, etc., shall be installed prior to final inspection.

b. Drainage. Parcels shall be laid out so as to provide the required drainage away from all buildings. Drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed and provided so as to avoid concentration of storm drainage water from each parcel onto adjacent parcels.

c. Alteration of existing grading and/or drainage conditions on parcels shall require a building permit.

#### EXEMPTIONS:

1. Grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not alter the existing drainage.

2. Excavation for construction of a structure under a current permit.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavation for wells or trenches for utilities.
6. Mining, quarrying, excavating, processing or stockpiling sand, rock, gravel, aggregate, or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
7. Exploratory excavations performed under the direction of a registered design professional.
8. Land clearing, grading, filling, sandbagging, diking, ditching, or similar work during or after periods of extreme weather or other emergency which have created situations such as flooding or high fire danger that present an immediate danger to life or property.

(10) Minimal Dwelling Unit is a single-family dwelling with a minimum of 150 ft<sup>2</sup> and a maximum of 450 ft<sup>2</sup> and complies with subsection (a) of this section but is amended as follows.

a. Minimum interior clear dimensions include:

1. 150 ft<sup>2</sup> of habitable area on 1 story minimum (120 ft<sup>2</sup> minimum of habitable area for the main room).
2. 7' minimum interior finished width.
3. A loft of habitable space shall meet the requirements of subsection (a) of this section.

Exemption: May have a ships ladder (per requirements) for access up to 1 bedroom and bathroom group of 120 ft<sup>2</sup> or less and has an emergency egress as required by subsection (a) of this section.

4. 2 stories maximum above grade plane.

Exemption: May have a basement in compliance with subsection (a) of this section.

- b. Must contain Cooking Facilities (minimum of a permanently installed cooking stove containing one burner) and a kitchen sink (separate from bathroom vanity).
- c. Must contain Bathing Facilities (shower and/or tub, water closet and vanity) water closet and shower and/or tub required to be separated from kitchen by a tight fitting door. A vanity is required but not required in the same room as water closet and shower and/or tub. Finished interior of shower compartments may be 30" x 30" minimum (900in<sup>2</sup>) (or a 30" circle fit inside of finished area of shower but still has 900in<sup>2</sup> minimum).
- d. Must have continuous concrete footings and foundation and shall have 1- # 4 rebar at the top and bottom of the footing or 1- # 5 rebar near the bottom installed per subsection (a) of this section.

e. Brace wall requirements shall be in compliance with subsection (a) of this section except as follows:

1. Must use the continuous sheeting method with minimum 3/8" wood structural panels, using full height sheets or block and fasten seams with blocking full depth of studs.
2. Regardless of wind loads, structures which meet or exceed a 2-1 height to width ratio shall be required to have roof tie downs with a minimum rating of 200 pounds. Hold downs and tie downs shall be required at the ends of brace walls at all exterior walls, including stories below, and shall be continuous down to the foundation with a minimum rating of 500 pounds. If brace walls do not align, then tie downs will be provided continuous to foundation through framing members and/or additional tie downs or hold downs.
3. Portal frames may not be used as brace walls.
4. Brace wall panels shall be a minimum of 2' wide for up to 8' wall heights, 2'-6" wide for up to 10' wall heights and 3' wide for up to 12' wall heights. A brace wall panel must start in a brace wall line within 5' of every corner of the exterior walls.
5. Plans not in compliance with this section shall be required to be designed by a registered New Mexico engineer.

f. Minimal Dwelling units shall be approved in zoning districts; AR-1, C-1, M-1, M-2, R-1 and R-2, or as provided elsewhere in this code.

(11) Structures and buildings constructed using continuous concrete footings/foundations shall have 1- # 4 rebar at the top and bottom of the footing or 1- # 5 rebar near the bottom or 2 #4 at 1/3 points in footing of "T" type footing and stem wall foundations. Reinforcement shall be installed per subsection (a) of this section. Slabs on ground not poured monolithically with the footings, shall have #3 rebar dowels with standard hooks installed 48" on center per figure IRC R403.1.3.2 or similar as approved by the building official.

(12) Potable rainwater catchment systems shall be designed by an approved registered New Mexico design professional.

(13) Inspections shall be completed in the order as required by the building official. Interior rough electrical and mechanical work and materials or other materials that may be damaged by weather such as drywall, insulation, etc.; shall not be installed prior to the project and/or work area being weather tight.

#### **Sec. 22-32. - Definitions of terms used in adopted codes.**

- (a) Wherever the word "city" or "municipality" is used in the codes adopted by this article, it shall be held to mean the village.
- (b) Wherever the word "building official" is used in the codes adopted by this article, it may be held to mean the building official and assistants and other employees as shall be authorized from time to time by the council.

(c) The term "Energy Star" shall, for the purposes of this chapter, mean a government-backed program that provides an energy performance rating system for household appliances. Appliances with the Energy Star label attached have met energy efficiency guidelines set by the United States Environmental Protection Agency and the United States Department of Energy.

(d) For purposes of this subsection, the term "substantially within required setbacks" shall mean ten feet or more in excess of required setbacks.

(Code 1985, § 8-1-4; Ord. No. 2009-10, 6-9-09)

**Cross reference**— Definitions generally, § 1-2.

**Sec. 22-33. - Application for permit; deviation from certified plot plan.**

- (a) The applicant shall submit a completed application to the building official on forms supplied by the building official. The applicant shall give a description of the character of the work proposed to be done and the location, ownership, occupancy, and use of the premises in connection therewith. Applications for permits to expand an existing structure or construct a new structure shall be accompanied by a drawing or plat in duplicate showing, with dimensions, the lot line, the buildings, and the locations of buildings upon the lot. The drawing or plat shall be prepared and certified by a registered New Mexico surveyor or engineer. For permit applications for additions to existing residential structures or ancillary structures thereto which can be readily verified by the building official and planning administrator as being substantially within required setbacks and outside easement areas, the planning administrator may waive the survey requirement and allow the applicant to prepare drawings containing all information required under this subsection. The drawings shall contain notations indicating the proposed use of all land and buildings. The original copy of such applications and plats shall be kept in the office of the building inspection department, and a duplicate copy will be kept at the construction site at all times during construction. A plot plan or survey will not be required for permits issued for minor repairs or renovations of existing structures, or other work that does not involve the construction of additional square footage, unless required by the building official. No excavation or clearing of land will be permitted without having first obtained the appropriate permit.
- (b) Any person who deviates from the certified plot plan required in subsection (a) of this section shall be notified in writing by the planning administrator or building official of the required corrective action to be accomplished within a specified time limit. Failure to comply with the corrective order shall subject the person to proceedings in the municipal court. Upon conviction of failure to comply with the corrective order, such person may be punished in accordance with section 1-6
- (c) In addition to the penalties provided in subsection (b) of this section, the building official may, upon reasonable belief that a person has deviated from the certified plot plan required in subsection (a) of this section, revoke the building permit and red tag the property.

(d) No variance from the strict application of setback requirements shall be granted to any person who deviates from the certified plot plan required in subsection (a) of this section.

(e) By signing permit applications requiring a plot plan or survey, the applicant shall be deemed to have:

(1) Read the provisions of subsections (a), (b), (c) and (d) of this section;

(2) Understood such provisions; and

(3) Agreed to abide by such provisions.

~~Copies of subsections (a), (b), (c) and (d) of this section shall be incorporated within or attached to all~~ are available on the village web site or can be provided to applicant upon request; ~~permit applications requiring a plot plan or survey, and by signing a permit application the applicant shall be deemed to have:~~

~~• (1)~~

~~Read the provisions of subsections (a), (b), (c) and (d) of this section;~~

~~• (2)~~

~~Understood such provisions; and~~

~~• (3)~~

~~Agreed to abide by such provisions.~~

(f) Only contractors holding a current New Mexico license for the type of work proposed or the owner of the property (primary residence only) where the work will be performed are eligible to submit an application and receive a permit for any proposed construction governed by the codes referenced in this section. Owners may not subcontract work to unlicensed individuals.

*(Code 1985, § 8-1-2; Ord. No. 2009-10, 6-9-09)*

### **Permit fees: expiration of permit.**

(a) *Fees generally.* The fees for permits shall be set from time to time and shall be as set forth in the following schedule ~~fee schedule in appendix A to this Code.~~ All permit fees are inclusive of plan review fees.

<b>BUILDINGS (Chapter 22)</b>		
<b>Permit and inspection fees (22-34):</b> After consultation with the village manager, the building official may waive permit fees as authorized in the building code.		
<b>(1)</b>	<u>Permit fees are assessed based on a formula that takes into account that the level of effort for a larger, more complex project is not directly proportional to the value of construction (22-34(b)).</u>	
	<u>The basic formula is <math>y = 0.294 \times 0.688</math></u>	
	<u>The minimum fee is 50.00 up to a construction value of 2,000.00</u>	
	<u>For construction values from 2,001.00 through 100,000.00 fees are computed and tabulated in 1,000.00 increments. The fee for construction values from 100,001.00 through 500,000.00 is 795.00 plus 4.48 per 1,000.00 over 100,000.00. The fee for construction values from 500,001.00 through 1,000,000.00 is 2,587.00 plus 3.80 per</u>	

		1,000.00 over 500,000.00. The fee for construction values over 1,000,000.00 is 4,487.00 plus 2.92 per 1,000.00 over 1,000,000.00.	
(2)	The Building Official shall issue in February of each year a valuation worksheet for use during the calendar year.		
(3)	Demolition permit:		
		Wrecking and demolition up to and including 1,500 square feet of floor area	35.00
		Each additional 500 square feet or fraction thereof	8.00
(4)	Moving of buildings:		
		Buildings up to ten feet in width	35.00
		Each additional foot over ten feet in width	3.00
(5)	Other inspections and fees:		
		Manufactured Home Occupancy Inspection	100.00
		Thermal Imaging Scan	100.00
		Damage Investigation	100.00
		Minimum fee for items not listed*	50.00
		Reinspection	50.00
Electrical permit fees (22-74):			
(1)	Residential:		
		Manufactured Home	45.00
		100 amp and below service	52.00
		101--200 amp service	90.00
		201--320 amp service	105.00
		321--400 amp service	225.00
		401 and above service	360.00
		Temporary service	20.00
		For each Additional Panelboard (Sub-panels)	20.00
		Remodel (No Panels Included)	45.00
		Low Voltage (Structured Wiring, Not Alarm)	20.00
		Alarm	20.00
		Solar system (No Panelboards Included)	45.00
(2)	Commercial:		
		100 amp and below service	92.00
		101--200 amp service	130.00
		201--320 amp service	175.00
		321--400 amp service	275.00
		401--600 amp service	375.00
		601--800 amp service	475.00
		801--1,000 amp service	575.00
		1,001--2,000 amp service	775.00
		2,001+ amp service	1,075.00
		Temporary	20.00
		Remodel (up to 1,000 square feet) (No Panels Included)	45.00
		Remodel (\$0.045 per sq. ft. for over 1,000 sq. ft.)	\$0.045 sq. ft.
		For each Additional Panelboard (Sub-panels)	20.00
		Low Voltage (Structured Wiring, Not Alarm)	20.00



	<u>Alarm</u>	<u>20.00</u>
	<u>Solar system (No Panelboards Included)</u>	<u>45.00</u>
(3)	<u>Other inspections and fees:</u>	
	<u>Reinspections</u>	<u>50.00</u>
	<u>Services Change</u>	<u>20.00</u>
	<u>Swimming pools and Spas</u>	<u>45.00</u>
	<u>Septic</u>	<u>20.00</u>
	<u>Minimum fee for items not listed*</u>	<u>20.00</u>
*Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, equipment, hourly wages and fringe benefits of all the employees involved. Fees or charges for properties located outside the village boundaries shall be increased by the amount of ten percent of the permit fee for travel and time necessary in rendering services.		
<u>Plumbing and Mechanical Fees</u>		
	<u>Plumbing system and eight (8) plumbing fixtures or less</u>	<u>60.00</u>
	<u>Each additional group of four (4) plumbing fixtures(or for additions w/4 or less)</u>	<u>21.00</u>
	<u>Evaporative cooler installation</u>	<u>11.00</u>
	<u>Gas pipe system and up to four (4) gas appliances</u>	<u>50.00</u>
	<u>Each additional gas appliance(1)</u>	<u>10.00</u>
	<u>Hot tubs and spas</u>	<u>40.00</u>
	<u>Swimming pools</u>	<u>40.00</u>
	<u>Water heater</u>	<u>7.00</u>
	<u>Mobile home service</u>	<u>5.00</u>
	<u>Water conditioner</u>	<u>7.00</u>
	<u>Back flow device</u>	<u>7.00</u>
	<u>Rainwater catchment system (non-potable)</u>	<u>20.00</u>
	<u>Rainwater catchment system (potable)</u>	<u>40.00</u>
	<u>Fire protection head (each)</u>	<u>1.00</u>
	<u>Grease trap</u>	<u>40.00</u>
	<u>Ventilation (1 for up to each 1,000ft²)</u>	<u>10.00</u>
	<u>Refrigeration system</u>	<u>13.00</u>
	<u>Duct work system</u>	<u>13.00</u>
	<u>Furnace</u>	<u>13.00</u>
	<u>Ventilators, Purifiers or Humidifiers (per unit)</u>	<u>10.00</u>
	<u>Hydronic heating installation (includes boiler)</u>	<u>40.00</u>
	<u>Other heating appliances</u>	<u>13.00</u>
	<u>Boiler (other than hydronic)</u>	<u>13.00</u>
	<u>Medical gas system</u>	<u>33.00</u>
	<u>Hood/exhaust (residential)</u>	<u>6.50</u>
	<u>Hood/exhaust (commercial)</u>	<u>40.00</u>
	<u>Other items not listed*</u>	<u>33.00</u>
	<u>Reinspection</u>	<u>50.00</u>
<u>Administrative fees per application for processing electrical, plumbing and mechanical permits</u>		
	<u>Residential (up to four-plex)</u>	<u>25.00</u>
	<u>Multi-family above four-plex and Commercial (based on value of work)</u>	
	<u>0 to 2,000</u>	<u>25.00</u>

	2,001 to 25,000	35.00
	25,001 to 50,000	40.00
	50,001 to 100,000	45.00
	100,001 and up	50.00

\*Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, equipment, hourly wages and fringe benefits of all the employees involved. Inspections requested outside of normal business hours shall have a 4 hour minimum per inspection and shall be subject to personnel availability. Fees or charges for properties located outside the village boundaries shall be increased by the amount of ten percent of the permit fee for travel and time necessary in rendering services.

**Chapter 22. Buildings and building regulations, fines**

<u>VORMC Section</u>	<u>Description</u>	<u>VOR Fine or Penalty</u>	<u>Total with Court Fees</u>
<u>22-1</u>	<u>Violation of chapter requirements, first offense, minimum</u>	<u>200</u>	<u>229</u>
<u>22-1</u>	<u>Violation of chapter requirements, second offense, minimum</u>	<u>350</u>	<u>379</u>
<u>22-1</u>	<u>Violation of chapter requirements, third and subsequent offense</u>	<u>500</u>	<u>529</u>

(b) *Determination of value.* The determination of value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the permit fee shall be the total value of all construction work for which the permit is issued, including all finish work. This valuation shall be based on the most current International Code Council Building Valuation Data Sheet. The building official shall issue in January **February** of each year a valuation worksheet for use during the calendar year. Where the owner or contractor provides a signed contract stating the value of construction, such value shall be used in calculating the permit fee under the following conditions:

Where the owner or contractor provides a signed contract stating the value of construction, such value shall be used in calculating the permit fee under the following conditions:

- (1) Work involved is for renovation of existing structure when no new square footage is added and/or no building official valuation covers work involved.
- (2) Contract value is greater than building official valuation and involves quality of work which is better than building official listed valuation for work involved.
- (3) The building official may use the lower of the 2 valuations when the scope of work to be permitted and the Use of the structure should be determined at the lower valuation.**

(c) *Other inspection and permit fees.*

- ~~(1) Other inspection and permit fees shall be as set forth in the fee schedule in appendix A to this Code.~~
- ~~(2) The fee for demolition permits shall be as set forth in the fee schedule in appendix A to this Code.~~
- ~~(3) The fee for moving of buildings shall be as set forth in the fee schedule in appendix A to this Code.~~

**Reinspection fees. Reinspection fees may be required by the inspector for the following reasons:**

- 1. The approved plans are not available on site for review by the inspector at the time of inspection.**
- 2. Work is not ready for inspection.**

3. Work is covered up without approval or inspection.

4. The previous correction notice, for the work under inspection, is not completed.

(d) ~~Failure to obtain permit; failure to comply with stop work order.~~ Where work for which a permit is required by this article is started or proceeded with prior to obtaining a permit, a stop work order (or red tag) shall be issued by the building official, the building official's representative or code enforcement officer. the Permit fees specified shall may be doubled for the first offense and tripled for all subsequent offenses, but the payment of such double

fee(s) shall not relieve any person from fully complying with the requirements of this article in the execution of the work, nor from any other penalties prescribed by this article or this Code. Any person who does not comply with a notice to stop work issued by the building official shall be subject to payment of triple the permit fees specified. Every day that a person fails to honor a stop work order is considered a separate violation subject to the penalties provided in section 1-

~~6 of this Code.~~ (e) ~~Expiration; extensions. Permits expire 12 months from the date of issuance. Prior to the expiration date, the applicant may request an extension of the permit and pay a renewal fee prorated based on the portion of the work not complete. If the applicant is eligible for an extension but fails to request an extension prior to the expiration date of the existing permit, a new permit application must be submitted and the project must meet any applicable new code requirements. Extensions may be granted for no more than one year past the original expiration date. If the project is not complete after two years from the issuance of the original permit, a new permit application must be submitted and the project must meet any applicable new code requirements.~~

If the work for a permit has not commenced within one hundred eighty (180) days after the permit is issued, any permit issued pursuant to the provisions of this article shall expire. If the work authorized by such permit or extension of the permit, is suspended or abandoned for a period of 180 days after the work is commenced, the permit shall expire. A valid inspection shall be required to be approved at least once every 180 days to document that work on the project has not been suspended or abandoned. The building official is authorized to grant one permit extension upon request. Extension requests must be provided in writing by the permittee prior to permit expiration. Permits that have expired or are voided for any reason are subject to section 22-34 (c) and (d) and any other applicable sections of this article or this Code. The building official may charge a fee to renew a permit that has expired or is voided for any reason, up to the amount of the existing permit fee.

(f) Failure to comply with a stop work order (or red tag); Any person(s) not complying with a notice to stop work issued by the building official, the building official's representative or code enforcement officer, may be subject to payment of up to triple the permit fees specified and/or any other penalties prescribed by this article or this Code. Every day that a person or persons fails

to honor a stop work order shall be considered a separate violation subject to the penalties provided in this article or this Code. Stop work orders for work in violation on permitted projects, shall apply to the specified violation only, unless otherwise noted by the building official.

**Sec. 22-35. - Village nonliability.**

This chapter shall not be construed as imposing upon the village any liability or responsibility for damage resulting from defective construction or systems, nor shall the village or any official or employee thereof be held as assuming any such liability or responsibility by reason of the inspection authorized by this chapter.

(Code 1985, § 8-1-5; Ord. No. 2009-10, 6-9-09)

**Sec. 22-36. - Notification when work or condition in violation of chapter.**

Whenever the inspector finds any building, premises, or part thereof, in, or on which, there is being maintained a structure or system which is defective, unsafe, a code violation, or in which work is being done in violation of this chapter, it shall be his duty to notify in writing the owner, agent or person responsible for the premises in which such condition exists, or if such work is being, or has been installed, to correct such condition, or to remove, or cause to be reinstalled such work as has been in violation of this chapter. Upon receipt of such notice, the owner, agent or person responsible shall cause the violation to be corrected, removed or reinstalled and obtain permits or other required documentation as required by other applicable sections of this article or this Code.

(Code 1985, § 8-1-6; Ord. No. 2009-10, 6-9-09)

**Sec. 22-37. - Issuance of certificate of approval or occupancy.**

Upon satisfactory completion of permitted work new construction or change of Use and Occupancy, the inspector shall issue a certificate of approval or occupancy. Additions, remodels, repairs, alterations, replacement, removal and demolition to existing structures shall, upon satisfactory completion of permitted work, receive a final building approval.

(Ord. No. 2009-10, 6-9-09)

**Sec. 22-38. - Inspections.**

Requests to schedule inspections shall be called in to an automated inspection request phone number. The permit holder shall provide all the information required by the inspector when requesting that an inspection be scheduled. Requests will be processed the next business day and will be scheduled as work load and staff availability permits. Every effort will be made to schedule and complete inspections within one to two business days.

(Ord. No. 2009-10, 6-9-09)

**Sec. 22-39. - Minor repairs.**

Minor repairs involving cosmetic changes or replacement of fixtures not requiring shutoff of the main utility feed to the structure normally will not require a permit and inspection. However, it is the owner's responsibility to check with the building official prior to commencing any work to verify that a permit and inspection are not required.

(Ord. No. 2009-10, 6-9-09)

**Secs. 22-40—22-60. —Reserved— temporary occupancy.**

- a. The inspector may issue temporary occupancy for a period not to exceed 180 days when approved by the building official:  
(1) when circumstances in any specific case indicates a temporary occupancy is appropriate;  
(2) life, safety or health will not be adversely affected by doing so;  
and,  
(3) when approved by the building official, the permittee, shall in a written request, ask for an extension of a current, valid temporary occupancy. The extension shall be a maximum of 180 days and can be granted 1 time only.
- b. Upon expiration or denial of temporary occupancy, the right to occupy shall be revoked and the permit(s) shall be subject to the applicable sections of this article or this Code.

**Secs. 22-41—22-60. - Reserved.**

## **APPENDIX A FEES, FINES AND PENALTIES**

<b>BUILDINGS (Chapter 22)</b>			
Permit and inspection fees (22-34): After consultation with the village manager, the building official may waive permit fees as authorized in the building code.			
(1)	Permit fees are assessed based on a formula that takes into account that the level of effort for a larger, more complex project is not directly proportional to the value of construction (22-34(b)).		
	The basic formula is $y = 0.294x - 0.688$ .		
	The minimum fee is 50.00 up to a construction value of 2,000.00		
	For construction values from 2,001.00 through 100,000.00 fees are computed and tabulated in 1,000.00 increments. The fee for construction values from 100,001.00 through 500,000.00 is 795.00 plus 4.48 per 1,000.00 over 100,000.00. The fee for construction values from 500,001.00 through 1,000,000.00 is 2,587.00 plus 3.80 per 1,000.00 over 500,000.00. The fee for construction values over 1,000,000.00 is 4,487.00 plus 2.92 per 1,000.00 over 1,000,000.00.		
(2)	The Building Official shall issue in January of each year a valuation worksheet for use during the calendar year.		
(3)	Demolition permit (22-34 (c) (2)).		
	Wrecking and demolition up to and including 1,500 square feet of floor area		35.00
	Each additional 500 square feet or fraction thereof		8.00
(4)	Moving of buildings (22-34 (c) (3)).		
	Buildings up to ten feet in width		35.00
	Each additional foot over ten feet in width		3.00
	Proficiency test fee for homeowners applying for permit under section 22-34(d)		35.00
Electrical permit fees (22-74):			
(1)	Residential:		
	Manufactured Home		45.00
	100 amp and below service		52.00
	101-200 amp service		90.00
	201-320 amp service		105.00
	321-400 amp service		225.00
	401 and above service		360.00

	Temporary service	45.00
	Remodel	45.00
(2)	Commercial:	
	100-amp-and-below service	92.00
	101-200-amp service	130.00
	201-320-amp service	175.00
	321-400-amp service	275.00
	401-600-amp service	375.00
	601-800-amp service	475.00
	801-1,000-amp service	575.00
	1,001-2,000-amp service	775.00
	2,001+-amp service	1,075.00
	Temporary	45.00
	Remodel	45.00
Other inspections and fees:		
	Reinspections	45.00
	Services Change	20.00
	Swimming pools and Spas	45.00
	Septic	20.00
	Minimum fee for items not listed*	20.00
*Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, equipment, hourly wages and fringe benefits of all the employees involved. Fees or charges for properties located outside the village boundaries shall be increased by the amount of ten percent of the permit fee for travel and time necessary in rendering services.		
Plumbing and Mechanical Fees		
	Eight (8) plumbing fixtures or fewer	60.00
	Each additional group of four (4) plumbing fixtures	24.00
	Evaporative cooler installation	14.00
	Gas pipe system up to four (4) gas appliances	40.00
	Hot tubs and spas	40.00
	Swimming pools	40.00
	Water heater (electric)	7.00
	Mobile home service	5.00
	Water conditioner	7.00
	Yard sprinkler	7.00
	Fire protection head (each)	1.00
	Grease trap/test port	10.00
	Other items not listed	33.00
	Ventilation	3.00
	Refrigeration system	13.00
	Duck work system	13.00
	Furnace installation	13.00
	Radiant heating installation (includes boiler)	40.00
	Other heating appliances	13.00
	Boiler (other than radiant)	13.00
	Medical gas system	33.00


	Hood/exhaust (residential)	6.50
	Hood/exhaust (commercial)	33.00
Administrative fees per application for processing electrical and plumbing/mechanical permits		
	Residential (up to four-plex)	25.00
	Multi-family above four-plex and Commercial (based on value of work)	
	0 to 2,000	25.00
	2,001 to 25,000	35.00
	25,001 to 50,000	40.00
	50,001 to 100,000	45.00
	100,001 and up	50.00

Fees or charges for properties located outside the village boundaries shall be increased by the amount of ten percent of the permit fee for travel and time necessary in rendering services.

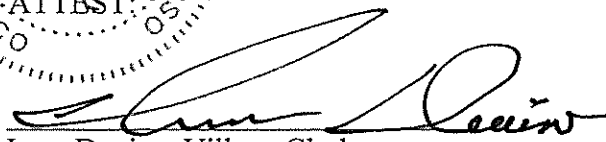
Chapter 22. Buildings and building regulations, fines

VORMC Section	Description	VOR Fine or Penalty	Total with Court Fees
22-1	Violation of chapter requirements, first offense, minimum	200	220
22-1	Violation of chapter requirements, second offense, minimum	350	379
22-1	Violation of chapter requirements, third and subsequent offense	500	529

Passed, Approved and Adopted this 15th day of September, 2015.

  
Tom Battin, Mayor



  
Irma Devine, Village Clerk